

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VIDEO-RECORDED DEPOSITION UPON ORAL EXAMINATION OF
CRAIG ROSENBERG, Ph.D.

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9:08 A.M.

TUESDAY, MAY 30, 2023

1201 THIRD AVENUE, SUITE 4900

SEATTLE, WASHINGTON

* * CORRECTED * *

REPORTED BY: CARLA R. WALLAT, CRR, RPR

WA CCR 2578, OR CSR 16-0443, CA CSR 14423

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1 initial scene state includes at least a position and 03:07
2 orientation of the object, including avatars." 03:07
3 So that including avatars when talking about 03:07
4 the initial scene state, well, the Court has construed 03:07
5 that whenever the patent is talking about initial scene 03:07
6 state that avatars are optional. 03:07
7 So I think that would carry over to the 03:07
8 playing back limitation where when it says at line 50 03:07
9 and 51 of column 10 "including one or more avatars" -- 03:08
10 oh, I'm sorry. Let me go back before it. 03:08
11 So 49 to 51, "Objects of the initial scene 03:08
12 state and the new instance, including one or more 03:08
13 avatars," I think that should be understood as being 03:08
14 essentially the same as what I just recited from column 03:08
15 6 as a description of initial scene state. 03:08
16 Q. So in column 6, it says, "The initial scene 03:08
17 state includes at least a position and orientation of 03:08
18 objects." 03:08
19 A. Can you point me to which line you're -- 03:08
20 Q. Exactly where you are. Column 6, line 7. 03:08
21 A. 7, okay. 03:08
22 Q. "The initial scene state includes at least a 03:08
23 position and orientation of objects, including 03:08
24 avatars." 03:08
25 So that is saying that objects, including if 03:08

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1 were -- if we were to watch those six seconds of video, 04:03
2 we would -- we would see that happen. 04:03
3 Q. So is it your opinion that the entire stage is 04:03
4 the common space or some smaller portion? 04:03
5 A. It's whatever -- again, stage isn't in the 04:04
6 claim language. Stage just represents what many of us 04:04
7 would understand to be an area where a performer is or 04:04
8 some element to the performance is. 04:04
9 But there's no avatars there close to the -- 04:04
10 close to the circular screen at that time. 04:04
11 Q. You haven't offered any opinions about US 04:04
12 Patent 6,720,962, right? 04:04
13 A. That's correct. 04:04
14 Q. And you haven't performed any -- you haven't 04:04
15 made any effort to value that patent, right? 04:04
16 A. That's correct. What are the last three 04:04
17 numbers? 04:04
18 Q. 962. 04:04
19 A. 962, no, I don't recall reviewing that. 04:04
20 Q. Are you familiar with the -- a product that is 04:04
21 called Ornatrix for Maya? 04:04
22 A. No. I'm familiar with the company Maya, but 04:05
23 I'm not familiar with that product. 04:05
24 Q. I take it, therefore, you have not performed 04:05
25 any technical analysis of it? 04:05

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1 A. Correct. 04:05

2 Q. Okay. 04:05

3 MS. DURIE: That's it. I don't have any 04:05

4 further questions. Thank you. 04:05

5 MS. McNALLY: Okay. Nothing from us 04:05

6 either. 04:05

7 THE VIDEOGRAPHER: We're going off the 04:05

8 record at 4:05 and this concludes this deposition for 04:05

9 today. 04:05

10 (Deposition concluded at 4:05 p.m.)

11 (Signature was reserved.)

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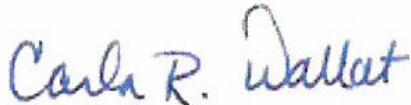
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1 REPORTER'S CERTIFICATE

2 I, CARLA R. WALLAT, CCR, CSR, RPR, CRR, the undersigned
3 Certified Court Reporter, authorized to administer oaths and
4 affirmations in and for the states of Washington (2578),
5 Oregon (16-0443), and California (14423) do hereby certify:

6 That the sworn testimony and/or proceedings, a
7 transcript of which is attached, was given before me at the
8 time and place stated therein; that any and/or all witness(es)
9 were duly sworn to testify to the truth; that the sworn
10 testimony and/or proceedings were by me stenographically
11 recorded and transcribed under my supervision. That the
12 foregoing transcript contains a full, true, and accurate
13 record of all the sworn testimony and/or proceedings given and
14 occurring at the time and place stated in the transcript; that
15 a review of which was requested; that I am in no way related
16 to any party to the matter, nor to any counsel, nor do I have
17 any financial interest in the event of the cause.

18 WITNESS MY HAND AND DIGITAL SIGNATURE this 31st day of
19 May, 2023.

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23 CARLA R. WALLAT, RPR, CRR

24 Washington CCR #2578, Expires 1/5/2024

Oregon CSR #16-0443, Expires 9/30/2024

California CSR #14423, Expires 1/31/2024